

Message Text

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SUBJECT: KING GRANTS WOMEN MORE RIGHTS IN NEPAL

1. KING BIRENDRA DECEMBER 19 PROMULGATED NEW AMENDMENTS TO CIVIL CODE WHICH GRANT WOMEN CONSIDERABLE RIGHTS NOT PREVIOUSLY ENJOYED UNDER NEPALESE LAW. AMENDMENTS, ISSUED TO HONOR INTERNATIONAL WOMEN'S YEAR, INCLUDE LAWS AIMED AT RESTRICTING CHILD MARRIAGE, POLYGAMY, AND INEQUITABLE DIVISION OF JOINT PROPERTY.

2. SPECIFICALLY, ELIGIBLE AGE OF MARRIAGE HAS BEEN RAISED FROM 14 TO 16 FOR WOMEN. GIRLS MAY NOW MARRY AT 18 WITHOUT CONSENT OF PARENTS OR GUARDIAN (PREVIOUSLY 21). UNMARRIED DAUGHTERS OVER AGE 35 WILL NOW SHARE EQUALLY WITH MALE SIBLINGS IN DIVISION OF FAMILY PROPERTY AND IN CASES OF DIVORCE A WIFE MAY CLAIM 50 PERCENT OF HUSBAND'S PROPERTY PROVIDED THEY ARE BOTH AT LEAST 35 YEARS OF AGE AND HAVE BEEN MARRIED FOR 15 YEARS. DIVORCED MOTHERS WILL HAVE CUSTODY OF CHILDREN UNDER AGE OF FIVE, EXCEPT IN "UNUSUAL CIRCUMSTANCES." PENALTIES FOR POLYGAMY, STILL WIDELY PRACTICED AMONG CERTAIN ETHNIC GROUPS IN NEPAL, HAVE BEEN INCREASED.

3. COMMENT: THE NEW LAWS COME SHORTLY ON THE HEELS OF THE CONSTITUTIONAL AMENDMENTS WHICH, INTER ALIA, WILL GIVE WOMEN AN INCREASED ROLE IN THE COUNTRY'S POLITICAL LIFE. UNDER

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THE NEW PANCHAYAT SYSTEM, WOMEN MUST SERVE ON EVERY PANCHAYAT,

WHETHER THROUGH ELECTION OR DIRECT NOMINATION. THIS WILL MEAN THAT NEARLY 4,000 WOMEN WILL BE INDUCTED INTO THE PANCHAYAT SYSTEM. THE NEPAL WOMEN'S ORGANIZATION HAS MADE INCREASED LITERACY AMONG RURAL WOMEN ITS NUMBLR ONE PRIORITY THIS YEAR AND HAS EFFECTIVELY USED THE CAMPAIGN TO EDUCATE WOMEN ON THEIR LEGAL RIGHTS. THE KING'S MEASURES, WHILE WELCOME, WILL BE DIFFICULT TO ENFORCE SINCE MANY OF THE NEW LAWS FLY IN THE FACE OF TRADITION. PROPERTY RIGHTS, FOR EXAMPLE, ARE TRADITIONALLY DISTRIBUTED BY MALE MEMBERS OF A JOINT FAMILY AND IT WILL TAKE A BRAVE WOMEN TO FIGHT FOR HER RIGHTS EVEN WITH THE PROTECTION OF LAW.

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